

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 07-03-06**

Date Published: March 1, 2007
For Work Week Commencing: March 5, 2007
Commission Meeting: March 6, 2007, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2006.8.129 & D2006.10.144 – Complaints Against Buzz Telecom, Inc. & USBI – Cramming and misrepresentation violations – To inform Commission that customers have been credited all unpaid amounts. (3/6/07)

2. D2007.2.23 – Montana-Dakota Utilities Co. – Petition for certification of eligible renewable resource pursuant to 69-8-1001 et seq. MCA, and 38.5.8301 A.R.M. – Discuss/Act on Petition. (3/6/07)
3. N2005.9.139 – MDU – 2005 Electric Integrated Resource Plan (IRP) – To discuss any and all matters necessary to proceed to finalize this case including but not limited to how the PSC replies to MDU and the content of that reply. (3/6/07)
4. D2006.5.58 – NorthWestern Energy – 2006 Annual Gas Cost Tracking Procedure – Discussion/Action. (3/6/07)
5. D2004.7.120 and D2006.6.80 – Energy West Montana – 2004, 2005-2006 Annual Gas Cost Tracking Procedures – Discussion/Action. (3/6/07)
6. D2006.6.82 – NorthWestern Corporation/BBI sale docket –Discuss and act on MCC's Motion to Compel, and consider and act on the pro hac vice application of John Coyle on behalf of MCC. (3/6/07)
7. Organization of MISO States (OMS) Comments on MISO's compliance filing with FERC regarding Long-term Transmission Rights – Discuss MISO Filing and Draft OMS comments. (3/6/07)
8. OMS - Comment to FERC on Market Monitoring, Docket No. ER07-529 – Discuss MISO filing and draft OMS comments. (3/6/07)
9. PSC Protective Order Rules and Process – To discuss any of the PSC protective order rules and any part of the protective order process. (3/6/07)
10. Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (3/6/07)
11. Excess annual leave – Act on staff request for extension of time to use excess annual leave. (3/6/07)
12. Out of state staff travel – Act on two staff travel requests: (1) Gary Duncan's travel to Santa Fe, NM for the NMSU Center For Public Utilities' Current Issues 2007 conference, March 19-21; and, (2) Candace Beery's travel to Committee on Regional Electric Power Cooperation (CREPC) spring meeting in Denver, April 4-5. (3/6/07)

13. **3/9/07, 10:30 am.** D2006.6.82 – NorthWestern/BBI Sale Docket –
Discuss/act on petitions for late intervention, and discuss/act on any other
pre-hearing matters. (3/9/07)

Other Meetings

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. MONTANA-DAKOTA UTILITIES CO. D2007.1.11 (Joel)

On January 19, 2007, Montana-Dakota Utilities Co. (MDU) filed an application requesting a waiver of a portion of Title 49, Part 192.481 of the pipeline safety code. MDU requests an extension from a three year requirement to a four year requirement to coincide with their four year leak survey interval.

2. Sprint N2007.2.22 Scott

On February 21, 2007, Sprint requested changes to its Montana P.S.C. Price List No.1. This filing removes the reference to mobile phone service, Single Source Solutions and Wholesale Communications services from this retail end user services tariff.

3. CenturyTel N2007.2.24 (Scott)

On February 28, 2007, CenturyTel filed Tariff Transmittal No. 07-03. CenturyTel is proposing to offer the following promotion: Beginning April 1, 2007 for a period of 32 days, residential customers who subscribe for a 12 month commitment can receive an access line, 256k DSL with Anti-Virus

protection, 100 minutes of long distance calling, (\$0.12 per minute over 100 minutes), Voice Messaging, Call Waiting, and 3-way Calling for a package price of \$48.95. Applicable nonrecurring charges are also waived.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

1. MTPCS, LLC, dba CHINOOK WIRELESS D2007.2.18 (Martin)

A protective order, Order No. 6812, was issued February 27, 2007, in the above matter, which is an application (yet to be filed) by MTPCS, LLC, for designation as an eligible telecommunications carrier.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2007.2.22 – Sprint Nextel – Price List No.1

D2007.2.23 – Montana-Dakota Utilities Co. – Petition of Montana-Dakota
Utilities

Co. for certification of an eligible renewable resource (Expedited Ruling
Requested)

N2007.2.24 – CenturyTel – Tariff Transmittal No. 07-03 Promotion